

ARCHITECTS SECTION MEETING

MINUTES

The Architects Section of the Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects (APELSCIDLA Board) met on February 6, 2004, at the Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia, with the following members present:

John S. Clark, Jr.
J. Everette Fauber, III
David L. May, Jr. (arrived at 9:40 a.m.)

Staff present for all or part of the meeting were:

Mark N. Courtney, Executive Director
Marian H. Brooks, Program Administrator
Trisha L. Henshaw, Administrative Assistant
Earlyne Perkins, Legal Assistant

No representative was present from the Office of the Attorney General.

Mr. Clark, Chair, called the meeting to order at 9:08 a.m.

Call to Order

Mr. Fauber moved to approve the agenda as written. Mr. Clark seconded the motion which was unanimously approved by members Clark and Fauber.

Approval of Agenda

Public Comment Period – No comments were made to the Section members.

Public Comment

The Section members discussed correspondence that was received regarding confusion among regulants of the Board as to who may prepare a Chesapeake Bay Preservation Act compliance plan. The Section members were provided with the responses agreed to by the Professional Engineers Section and the Landscape Architects Section. After discussion, Mr. Fauber moved to recommend to the Board adoption of the following response:

Discussion of Chesapeake Bay Preservation Act Compliance Plans

"The APELSCIDLA Board has reviewed your documentation and has determined that some work associated with the Chesapeake Bay Preservation Act involves the practice of engineering, land surveying, and landscape architecture. However, review of this

issue in the past has also revealed that this work may be incidental to other professional work and has determined that architects are competent to perform some of the types of calculations required by the Act.

"As in any activity involving the practices of architecture, professional engineering, surveying, certified interior design, and landscape architecture, if there is a question about the specific competence of an APELSCIDLA Board regulant, then this issue should be specifically addressed at that time through inquiries and complaints to this Board.

"As to the issue of 'redesigning' by the County officials, we would obviously need to know the specifics of individual instances. It is not unusual for regulatory authorities and agencies to request revisions to plans, specifications, reports, and permit applications. However, generally speaking, the professional who has the responsibility, authority, and accountability must concur with each of these revisions."

Mr. Clark seconded the motion which was unanimously approved by members Clark and Fauber.

The Section members discussed the upcoming National Council of Architectural Registration Boards (NCARB) Spring Regional Meeting scheduled for April 1-3 in New York. Mr. Courtney explained that funding is available for Mr. May and Mr. Fauber to attend this meeting.

Discussion of
2003 Spring
Regional
Meeting

Mr. Courtney provided the Section members with various memorandums and notices received by the Board office from NCARB during the last quarter. One notice that was specifically discussed is a document from NCARB addressing impediments to reciprocity. After reviewing the information, the Section members agreed that the items pointed out as impediments to reciprocity in Virginia are requirements that the Board sees as necessary and do not impede individuals from obtaining licensure in Virginia; however, the Section members present requested that, upon his arrival, Mr. May review the documentation before a final decision is made.

Quarterly
Information
from NCARB

Duncan Abernathy, representative of the Virginia Society of the American Institute of Architects (VSAIA), discussed several issues with the Section. Mr. Abernathy discussed House Bill 1459 regarding regulatory boards' examinations. If passed, this bill would allow regulatory boards to enter

Public Comment
Period

into contracts with more than one vendor in order to provide multiple options to candidates when scheduling examinations. After obtaining additional information, Mr. Courtney indicated that this bill was withdrawn by the patron in the General Laws Committee. Mr. Abernathy also discussed the visitability issue that was previously discussed by the Board. Mr. Abernathy indicated that the Department and the VSAIA have put together a program to increase knowledge of architects regarding accessibility issues. Mr. Abernathy also stated that there is a new Intern Development Program (IDP) coordinator.

The Section members took a break from 9:36 a.m. to 9:40 a.m. Mr. May arrived at 9:40 a.m.

Break and Mr.
May's Arrival

Mr. Clark transferred the Chair to Mr. May and left the room.

Transfer of
Chair

Mark L. Treon spoke to the Section members regarding **File Number 2004-01637**. Mr. Treon indicated that he agreed with the recommendation of the presiding Board member and requested that the Section recommend approval of his application for licensure by comity. Mr. Treon stated that he understands the responsibilities of an architect and he has over 20 years of experience as an architect. Further Mr. Treon stated that his work responsibilities have included everything from client interaction to construction documents to code research.

Mark L. Treon,
File Number
2004-01637

Regarding **File Number 2004-01637**, Mark L. Treon, the Section members reviewed the record of the Informal Fact-Finding Conference which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference, as well as the presentation by Mr. Treon. After review, Mr. May moved to reconvene the Informal Fact-Finding Conference in order to further consider the body of work prepared by Mr. Treon in his capacity as an employee of Shriver and Holland. Mr. May further moved that Mr. Treon be required to bring samples of documents, drawings, and specifications that he has prepared, document his experience using the IDP process, and provide a letter from his employer detailing Mr. Treon's responsibilities in order to demonstrate Mr. Treon's breadth of experience. Mr. Fauber seconded the motion which was unanimously approved by members Fauber and May. As the presiding Board member at the Informal Fact-Finding Conference, Mr. Clark was not present during the discussion or vote.

File Number
2004-01637,
Mark L. Treon

The Section members spoke with Charles Scott Hughes regarding his conditional architect license. Pursuant to Consent Agreement No. 99-1-98-02956 that Mr. Hughes entered into with the Board, Mr. Hughes agreed that upon passing the examination he would be granted a conditional license. This conditional license requires that Mr. Hughes meet with the Architects Section once a year during the three year period at a date and time specified by the Section. Further, 30 days prior to these meetings, Mr. Hughes must provide a list of the names, addresses and telephone numbers of all parties for whom he has provided architectural services and agrees to allow the Board to independently contact these parties. Pursuant to these terms, the Section members were provided with a letter from Mr. Hughes regarding his recent work experience and activities related to his architect license. The letter indicated that Mr. Hughes has performed no architectural services since his last meeting with the Section members. In addition, Mr. Hughes was present to confirm the information stated in his letter. Mr. Hughes stated that the only work he has performed is residential work in Florida, for which he does not need a license. The Section members stated the three year conditional period imposed on Mr. Hughes' license will end on March 16, 2004.

Review of
Conditional
License for
Charles Scott
Hughes

As Mr. May was now present, the Section members revisited the discussion regarding correspondence from NCARB pertaining to impediments to reciprocity. After discussion, the Section members agreed by consensus to direct staff to correspond with NCARB and answer the questions posed by NCARB in the correspondence. Further, the Section members requested that staff point out that the Section members see no reason to change the Board's requirements and there is not a plan to change these requirements in the future. Additionally, the Section members agreed that they did not see the items noted by NCARB as an impediment to reciprocity, and questioned how the lack of continuing education requirements could be seen as an impediment.

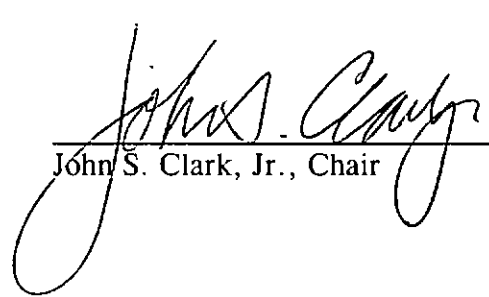
Other Business

Conflict of Interest forms were completed by all members present.

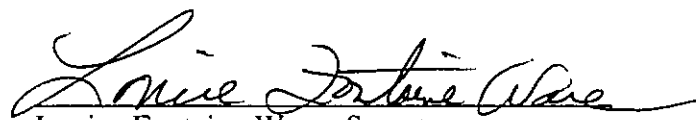
Conflict of
Interest Forms

There being no further business, the meeting was adjourned at 10:30 a.m.

Adjourn



John S. Clark, Jr., Chair


Louise Fontaine Ware, Secretary

COPY TESTE:

Custodian of Records

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: David L. May, Jr.
2. Title: Member
3. Agency: APELSCIDLA Board
4. Transaction: Board Meeting on February 6, 2004
5. Nature of Personal Interest Affected by Transaction: _____

None

6. I declare that:

(a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

Architecture

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Signature

Date

2/6/04

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: J. Everette "Ebo" Fauber, III
2. Title: Member
3. Agency: APELSCIDLA Board
4. Transaction: Board Meeting on February 6, 2004
5. Nature of Personal Interest Affected by Transaction: _____

NONE

6. I declare that:

(a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

J. E. Fauber, III
Signature

2-6-4
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: John S. Clark, Jr.
2. Title: Member
3. Agency: APELSCIDLA Board
4. Transaction: Board Meeting on February 6, 2004
5. Nature of Personal Interest Affected by Transaction: _____

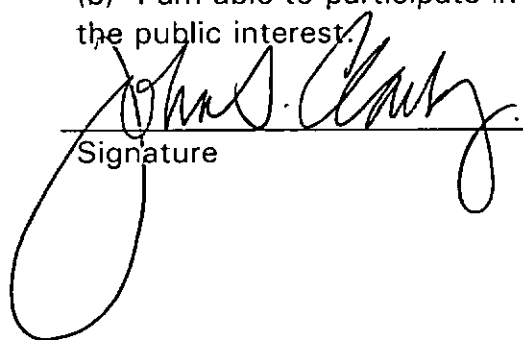
6. I declare that:

(a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Signature

Date



2.6.04